

Message Text

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C O N F I D E N T I A L SECTION 1 OF 5 SAO PAULO 2304

E.O. 11652: N/A

TAMDUX PINS, PINT, SHUM, ENGR, BR

SUBJECT: IAPA DECLARES FREEDOM OF THE PRESS TO BE LACKING IN BRAZIL

REF: SAO PAULO 2226

SUMMARY: THE INTER AMERICAN PRESS ASSOCIATION, MEETING IN SAO PAULO OCTOBER 19-24, CONCLUDED THAT THERE IS NO FREEDOM OF THE PRESS IN BRAZIL AND APPEALED TO THE GOB TO END ITS PRIOR CENSORSHIP OF NEWS MEDIA. "O ESTADO" GAVE AMPLE COVERAGE TO THE IAPA DELIBERATIONS THROUGHOUT THE WEEK, INCLUDING THE DISCUSSIONS AND RESOLUTIONS CONCERNING PRESS RESTRICTIONS IN BRAZIL. OTHER BRAZIL NEWSPAPERS COVERED THE MEETING TO LESSER DEGREES. THE NEWS OF NEW ARRESTS OF SAO PAULO JOURNALISTS CAST A GLOOMY SHADOW OVER THE DEBATE ON BRAZIL ON THE FINAL DAY OF THE CONFERENCE. A STUDENT DELEGATION FROM THE UNIVERSITY OF SAO PAULO APPEARED AND GAVE TESTIMONY ON THE RECENT ARRESTS. IN ALLOWING LEFT-OF-CENTER BRAZILIAN JOURNALISTS TO AIR THEIR CENSORSHIP PROBLEMS AND IN BASING THE FINAL RESOLUTION REGARDING BRAZIL ON THE PROBLEMS EXPOSED BY THESE JOURNALISTS, IAPA AND OUTGOING PRESIDENT JULIO MESQUITA FULLY LIVED UP THE INTER-AMERICAN ASSOCIATION'S CHARTER AND PRINCIPLES. WITH THE LATEST ARRESTS, WHICH HAVE LED TO THE DEATH OF ONE SAO PAULO NEWSMAN, THE CONFERENCE CLOSED ON A NOTE OF GROWING FEAR THAT MESQUITA AND THE LEFTIST JOURNALS MAY

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YET HAVE TO PAY A PRICE FOR HAVING DISCUSSED, PUBLICIZED AND

CONDEMNED THE EXISTENCE OF CENSORSHIP IN BRAZIL. END SUMMARY.

1. THE INTER AMERICAN PRESS ASSOCIATION (IAPA) ENDED ITS 31ST GENERAL ASSEMBLY IN SAO PAULO OCTOBER 24 CONCLUDING THAT THERE IS NO FREEDOM OF THE PRESS IN EIGHT WESTERN HEMISPHERE COUNTRIES -- ARGENTINA, BRAZIL, CUBA, CHILE, PERU, NICARAGUA, PARAGUAY AND URAGUAY -- AND THAT FREEDOM OF INFORMATION IS BEING HINDERED OR THREATENED IN SEVERAL OTHER COUNTRIES.

2. THE FINAL DRAFT OF IAPA'S RESOLUTION CONCERNING BRAZIL (RESOLUTION N. 3) READS AS FOLLOWS:

"WHEREAS EXISTING LEGISLATION IN BRAZIL PROVIDES THE GOVERNMENT WITH A MEANS OF EXERCISING ALMOST COMPLETE CONTROL OVER EXPRESSION OF THOUGHT AND RESTRICTS THE RIGHT TO INFORMATION;

"WHEREAS THE VERY EXISTENCE OF SUCH POWERS COUNTERBALANCES THE LIBERAL INTENTIONS INVARIABLY EXPRESSED BY TOP GOVERNMENT LEADERS AND ENCOURAGES CONTINUED PROVEN ABUSES BY LESSER GOVERNMENT OFFICIALS AGAINST THE NEWS MEDIA;

"WHEREAS THIS LEGISLATION HAS PRIORITY OVER THE COUNTRY'S SOVEREIGN LAW, THE CONSTITUTION, MAKING IT FRUITLESS TO SEEK REFORM BY ORDINARY LEGISLATIVE PROCEDURES OR JUDICIAL APPEALS;

"WHEREAS BY VIRTUE OF THIS LEGISLATION THE FOLLOWING WEEKLY MAGAZINES: 'MOVIMENTO', 'OPINIAO', 'O SAO PAULO', 'VEJA' AND THE NEWSPAPER 'TRIBUNA DA IMPRENSA', ARE BEING SUBJECT TO PRIOR CENSORSHIP, WHICH IN ITSELF CONSTITUTES A LIMITATION OF INFORMATION, SINCE PRIOR CENSORSHIP IS CARRIED OUT BEFORE INFORMATION IS RELEASED;

"WHEREAS A FREE AND INDEPENDENT PRESS COULD NEVER BE CONSIDEREED AN OBSTACLE TO THE DEVELOPMENT OF A COUNTRY, MUCH LESS CONSIDERED CONTRARY TO THE ESTABLISHMENT AND CONSOLIDATION OF A DEMOCRACY, SINCE IT IS A SYMBOL AND A VEHICLE OF ITS VITALITY;

"THE GENERAL ASSEMBLY RESOLVES:

"TO DECLARE THAT THERE IS NO FREEDOM OF THE PRESS IN BRAZIL AND TO REQUEST GENERAL ERNESTO GEISEL, PRESIDENT OF BRAZIL, TO END PRIOR CENSORSHIP OF NEWS MEDIA WHERE IT IS REQUIRED AND TO TAKE THE INITIATIVE OF MODIFYING THE AFOREMENTIONED LEGISLATION WHERE IT OPPOSES THE UNIVERSAL RIGHT TO FREE EXPRESSION OF

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THOUGHT AND FREEDOM OF INFORMATION."

3. OUTGOING IAPA PRESIDENT JULIO DE MESQUITA NETO (THE OWNER OF "O ESTADO DE SAO PAULO") PREFACED THE DEBATE ON BRAZIL THE FINAL DAY OF THE CONFERENCE BY DRAMATICALLY ANNOUNCING THE "KIDNAPPING" (I.E., ARRESTS) THE PREVIOUS EVENING OF THREE REPORTERS IN SAO PAULO -- RODOLFO KONDER, INTERNATIONAL EDITOR OF "VISAO" MAGAZINE, JORGE DUQUE ESTRADA OF "O ESTADO"

AND JOSE VIDAL POLA GALE OF "FOLHA". GALE, MESQUITA SAID, HAD BEEN TAKEN FROM HIS PLACE OF WORK. (COMMENT: THESE THREE ARE IN ADDITION TO THE SEVEN NEWSPAPERMEN AND WOMEN REFERRED TO IN REFTEL.) MESQUITA CALLED THE FREEDOM OF THE PRESS AND INFORMATION COMMITTEE'S REPORT AND CONCLUSIONS CONCERNING BRAZIL "OBJECTIVE, BASED ON FACTS" PROVIDED FROM "VARIOUS SOURCES" AND NOT THE PRODUCT OF "IMAGINATION". JOURNALISTS FROM ALL PARTS OF BRAZIL CAME BEFORE THE COMMITTEE, MESQUITA CONTINUED, TO EXPOSE THEIR PROBLEMS AND LEVEL ACCUSATIONS. ON THE BASIS OF THIS TESTIMONY, COMBINED WITH THE LATEST NEWS CONCERNING THE "ABDUCTION" OF REPORTERS, MESQUITA CONCLUDED, IT WAS NOT POSSIBLE FOR THE COMMITTEE TO REACH ANY JUDGMENT OTHER THAN THAT THERE WAS NO FREEDOM OF PRESS IN BRAZIL.

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FM AMCONSUL SAO PAULO

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C O N F I D E N T I A L SECTION 2 OF 5 SAO PAULO 2304

4. MILTON ALMEIDA, DIRECTOR OF "EX" (A NEWLY ADMITTED MEMBER OF IAPA), EXPRESSED REGRETS THAT THE FINAL IAPA STATEMENT WAS NOT DRAFTED IN STRONGER LANGUAGE, THAT THE ARRESTS WERE NOT MENTIONED IN THE FINAL REPORT AND THAT IAPA DID NOT ACT ON ALMEDIA'S RECOMMENDATION TO GRANT A SPECIAL FREEDOM OF PRESS AWARD TO "MOVIMENTO" DIRECTOR RAIMUNDO PEREIRA, "OPINIAO" DIRECTOR FERNANDO GASPARIAN AND "PASQUIM" FOR THE JUDICIAL ACTIONS TO WHICH THEY CURRENTLY ARE BEING SUBJECTED. (GASPARIAN RESPONDED THAT HE DIDN'T THINK HE DESERVED A SPECIAL PRICE FOR DEFENDING FREEDOM OF THE PRESS). ALMEIDA, ARTICULATING PREMONITIONS WHICH CIRCULATED THROUGHOUT THE

WEEK, ALSO ASKED IAPA TO BE ALERT TO THE POSSIBILITY OF REPRISALS AFTER THE IAPA CONFERENCE AGAINST THOSE BRAZILIAN DELEGATES WHO HAD SHOWN THE COURAGE TO SPEAK OUT AGAINST PRESS RESTRICTIONS IN BRAZIL.

5. ONE DELEGATE -- THE DIRECTOR OF "O LIBERAL" OF BELEM (PARA) CITED SECOND ARMY COMMANDER GENERAL EDNARDO D'AVILA MELO'S STATEMENT TO THE EFFECT THAT THE RECENT ARRESTS OF JOURNALISTS WERE NOT RELATED TO THE EXERCISE OF THEIR PROFESSION, BUT RATHER WERE CONNECTED WITH ACTIVITIES CONSIDERED SUBVERSIVE. IN THIS DELEGATE'S VIEW THEREFORE, THE ARRESTS DID NOT CONSTITUTE AN INFRINGEMENT OF FREEDOM OF THE PRESS. HOWEVER, HIS ATTEMPT TO TONE DOWN THE FINAL RESOLUTION ON THE GROUNDS THAT THE JOURNALS PROTESTING CENSORSHIP IN BRAZIL WERE SMALL AND CONFIDENTIAL

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UNIMPORTANT -- AND NOT THE BIG TIME DAILIES -- HAD NOBODY ELSE'S SUPPORT AND WAS ROUNDLY DEFEATED. (THE DEFEAT OF THIS MOTION SEEMED TO HAVE BEEN ANTICIPATED IN JULIO MESQUITA'S REPORT AS IAPA PRESIDENT IN WHICH HE STATED THAT "THE CONCEPT OF FREEDOM ((DEFENDED BY IAPA)) IS INDIVISIBLE AND ANY GRADATION OF THE PRINCIPLE OF FREEDOM OF THE PRESS IS ABSOLUTELY UNACCEPTABLE. SHOULD WE ACCEPT THIS, IT WOULD IMPLICITLY SIGNIFY ACCEPTANCE OF 'DE FACTO' GOVERNMENTS, WHICH WHILE SOMETIMES LEGAL, ARE ILLEGITIMATE AS LONG AS THEY VIOLATE THE FUNDAMENTAL RIGHTS OF MAN.").

6. THE LAST GROUP TO BE HEARD ON BRAZIL WAS A SMALL DELEGATION OF STUDENTS FROM THE UNIVERSITY OF SAO PAULO WHO PROTESTED THE RECENT WAVE OF ARRESTS IN SAO PAULO BEGINNING IN EARLY OCTOBER. THE STUDENTS RELATED THE DETENTIONS TO THE "NEW, UNPOPULAR ECONOMIC MEASURES PROCLAIMED IN GENERAL GEISEL'S LAST SPEECH," INCLUDING THE "ADOPTION OF RISK CONTRACTS," WHICH "ONCE AGAIN CONFIRM THE OPENLY PRO-IMPERIALIST POLICY OF THE REGIME." AT THIS POINT COMMITTEE CHAIRMAN GERMAN ORNES (DOMINICAN REPUBLIC) RULED THAT IAPA DID NOT HAVE A MANDATE TO ENTER INTO A GENERAL DISCUSSION OF THE BRAZILIAN POLITICAL SCENE AND THAT ANY SUCH DISCUSSION THEREFORE WAS OUT OF ORDER. THE STUDENTS THEN CONFINED THEMSELVES TO PROTESTING THE ARREST OF JOURNALISTS AND THE CENSORSHIP (BY USP) OF THE COMMUNICATIONS SCHOOL JOURNALISM STUDENTS' NEWSPAPER. ORNES TOLD THE STUDENTS THAT IAPA HELD THEIR FREEDOM OF THE PRESS TO BE JUST AS SACRED AS THAT OF EVERYONE ELSE'S AND THAT THE PRESS RESTRICTIONS IMPOSED ON THEM WERE THEREFORE A GENUINE SOURCE OF CONCERN FOR IAPA. (ABOUT THIS POINT MDB SENATOR MONTORO SHOWED UP AND SUBSEQUENTLY ADDRESSED THE DELEGATES PRESENT).

7. THE COMMUNIQUE WHICH THE STUDENTS HAD PREPARED FOR IAPA AND WHICH THEY SUBSEQUENTLY DISTRIBUTED TO THE INTERNATIONAL

WIRE SERVICES PRESENT WAS DATED OCTOBER 23 AND SIGNED
"UNIVERSITY GENERAL ASSEMBLIES, USP." IT CONTAINS A LIST
OF THE NAMES OF 53 PERSONS (SELF-DESCRIBED AS AN "INCOMPLETE
LIST") ARRESTED IN OCTOBER AND ANNOUNCES, AS A RESULT OF A
STUDENTS' ASSEMBLY HELD AT USP OCTOBER 23 ATTENDED BY 2,000
STUDENTS, THE CREATION OF A UNIVERSITY COMMITTEE WITH THE
ATTRIBUTES OF A DCE (CENTRAL STUDENTS BOARD) PROTOTYPE,
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CHARGED WITH THE FOLLOWING TASKS: (A) MAINTAIN CONTACT WITH
UNIONS, THE CHURCH, POLITICAL PARTIES, IAPA AND OTHER SECTORS
OF SOCIETY; (B) CREATE A UNIVERSITY PRESS; (C) SEND DELEGATES
TO THE NATIONAL MEETING OF STUDENTS IN BAHIA AND TO RIO DE
JANEIRO FOR "HUMAN RIGHTS WEEK"; (D) WORK TOWARDS THE
CREATION OF A COMMITTEE FOR THE AMNESTY OF POLITICAL PRISONERS;
(E) SEND AN OPEN LETTER TO THE PEOPLE DENOUNCING THE ARRESTS
AND REPUDIATING JUSTICE MINISTER FALCAO'S RECENT CIRCULAR
TO THE STATE GOVERNORS (PROHIBITING ASSEMBLIES WHICH COULD
LEAD TO PUBLIC DISORDERS); (F) SEND A LETTER TO THE GOVERNMENT
ASKING FOR THE RELEASE OF THE PRISONERS BY OCTOBER 28. IF THE
PRISONERS ARE NOT RELEASED BY THAT DATE, THE NOTE PRESAGES THE
CONVOKING OF NEW ASSEMBLIES ON OCTOBER 29 AND THE DECLARA-
TION OF A GENERAL UNIVERSITY STRIKE.

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FM AMCONSUL SAO PAULO

TO SECSTATE WASHDC 6535

INFO AMEMBASSY BRASILIA

C O N F I D E N T I A L SECTION 3 OF 5 SAO PAULO 2304

8. THE IAPA RESOLUTIONS CONCERNING BRAZIL WERE BASED ESSENTIALLY ON THE REPORT OF THE COMMITTEE ON FREEDOM OF THE PRESS AND INFORMATION, WHICH WAS RELEASED SEVERAL DAYS EARLIER. "THE GREATEST OBSTACLE TO FREEDOM OF THE PRESS IN BRAZIL IS AND CONTINUE TO BE," THE COMMITTEE FOUND, "THE CONTINUED EXISTENCE OF LAWS OF EXCEPTION, WHICH PERMIT PRIOR CENSORSHIP OF BOOKS, PUBLICATIONS, PERIODICALS AND NEWSPAPERS OF ANY KIND. AS A MATTER OF FACT, THE CONSTITUTIONAL PROVISION (ARTICLE 155, SECTION 2, LETTERS 'D' AND 'E'), PERMITTING PRESS CENSORSHIP DURING A STATE OF SIEGE, MAY BE INVOKED BY THE PRESIDENT OF THE REPUBLIC AT ANY TIME, DUE TO THE 'AD HOC' POWERS CONFERRED ON HIM BY INSTITUTIONAL ACT NO. 5, ON DECEMBER 13, 1968."

9. "SUCH EXCEPTIONAL POWERS REGARDING THE PRESS," THE COMMITTEE FOUND, "HAVE BEEN EXERCISED THROUGH THE MINISTRY OF JUSTICE SINCE MARCH 29, 1971. AND THERE IS NO POSSIBLE JUDICIAL APPEAL AGAINST SUCH EXERCISE, NOT EVEN TO THE FEDERAL SUPREME COURT, WHICH RECENTLY PRONOUNCED ITSELF INCOMPETENT TO JUDGE ANY ACTIONS OF THE PRESIDENT OF THE REPUBLIC BASED ON INSTITUTIONAL ACT NO. 5 BESIDES THIS, ANOTHER LEGAL PROVISION - LAW 1,070 - PERMITS PRIOR CENSORSHIP IN THE NAME OF 'PRIOR VERIFICATION', THAT IS, THE EXAMINATION BY AUTHORITIES OF THE MINISTRY OF JUSTICE, OF BOOKS AND PUBLICATIONS, TO DETERMINE THAT THEY CONTAIN NOTHING CONTRARY

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TO PUBLIC MORES AND CUSTOMS."

10. "SINCE THERE IS NO LEGAL RESTRICTION AGAINST THE EXERCISE OF PRESS CENSORSHIP," THE COMMITTEE CONCLUDED, "THE EXISTENCE OF DE FACTO FREEDOM, ENJOYED BY MANY ORGANS, DOES NOT CONFORM TO RECOGNITION OF THE UNIVERSAL RIGHT TO BE INFORMED. FOR THE SAME REASON, CENSORSHIP IS EXERTED UNEQUALLY UPON THE VARIOUS ORGANS, WITH GREATER OR LESSER SEVERITY, NOR CAN THOSE RESPONSIBLE FOR THESE ORGANS HAVE ANY REASONABLE KNOWLEDGE OF THE CRITERIA ADOPTED BY THE CENSORS."

11. THE FOLLOWING ORGANS OF THE BRAZILIAN PRESS WERE FOUND TO BE SUBJECT TO PRIOR CENSORSHIP - THE WEEKLIES "MOVIMENT", "OPINIAO," THE ARCHDIOCESAN "O SAO PAULO" AND "VEJA" AND THE DAILY NEWSPAPER "TRIBUNA DA IMPRENSA". BASED ON STATISTICS PROVIDED BY THE BRAZILIAN DELEGATE ON THE PRESS FREEDOM COMMITTEE, EDGARD DE SILVIO FARIA (WHO IS A DIRECTOR OF EDITORA ABRIL), THE COMMITTEE REPORT NOTED THAT AS OF "MOVIMENTO'S" 15TH ISSUE (THE ISSUE WHICH WAS TOTALLY PROHIBITED OCTOBER 10), 184 ARTICLES HAD BEEN TOTALLY VETOED AND

177 PARTIALLY CUT (NOT INCLUDING PHOTOS AND DRAWINGS). THE COMMITTEE REPORT CITED TWO CURRENT JUDICIAL ACTIONS TAKEN AGAINST THE PRESS BY BRAZILIAN CENSORSHIP AUTHORITIES: (A) THE LAWSUIT IN A MILITARY COURT AGAINST (OPINIAO", WHICH IS ACCUSED OF SPREADING SUBVERSIVE PROPAGANDA IN A SUPPLEMENTAL PUBLICATION ENTITLED "CADERNOS DE OPINIAO" (FOR PUBLISHING DOM HELDER CAMARA'S LECTURE AT THE UNIVERSITY OF CHICAGO IN CADERNO NO. 2); AND (B) A LAWSUIT AGAINST "PASQUIM" IN THE CIVIL COURTS, BASED ON LAW 1077, AFTER ONE WEEK'S EDITION WAS CONFISCATED IN MARCH IMMEDIATELY FOLLOWING THE LIFTING OF PRIOR CENSORSHIP.

12. THE COMMITTEE REPORT ALSO MENTIONED THE VERBAL INSTRUCTIONS TRANSMITTED BY THE SAO PAULO SUPERINTENDENT OF THE DEPARTMENT OF FEDERAL POLICE (DPF) TO "MOVIMENTO" BARRING ANY OTHER ORGAN, EITHER IN OR OUT OF COUNTRY, FROM PUBLISHING ANY NEWS STORY OR COMMENTARY CONCERNING THE MOST RECENT CENSORSHIP OF THE WEEKLY. IT ALSO REPRODUCED BRAZILIAN PRESS ASSOCIATION (ABI) PRESIDENT PRUDENTE DE MORAES NETO'S LETTER OF OCTOBER 17 TO JUSTICE MINISTER FALCAO (REFTEL).
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THE COMMITTEE REPORT ALSO LISTED THE NAMES OF THE SEVEN NEWSPAPERMEN THEN BEING HELD IN JAIL IN SAO PAULO ON UNREVEALED CHARGES, AND REPORTED THE RESULTS OF THE MEETING BETWEEN SAO PAULO NEWSPAPERMAN'S UNION PRESIDENT AUDALIO DANTAS AN GENERAL D'AVILA MELO CONCERNING THE ARRESTS.

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FM AMCONSUL SAO PAULO
TO SECSTATE WASHDC 6536
INFO AMEMBASSY BRASILIA

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13. THE COMMITTEE REPORT ON BRAZIL (AND THE OTHER WESTERN HEMISPHERE COUNTRIES) WAS DRAFTED PRIOR TO, AND WAS USED AS THE BASIS FOR, THE DELEGATES' COUNTRY-BY-COUNTRY FLOOR DEBATE ON THE STATE OF PRESS FREEDOMS IN THE HEMISPHERE. IN THE CASE OF SOME COUNTRIES THE COMMITTEE'S DRAFT WAS MODIFIED AS A RESULT OF THE DISCUSSIONS WHICH ENSUED. THE FLOOR DEBATE ON BRAZIL, WHICH TOOK PLACE THE MORNING OF OCTOBER 21 (REFTEL), DID NOT MODIFY THAT PORTION OF THE COMMITTEE REPORT DEALING WITH BRAZIL. THE INDIVIDUAL WHO ADDRESSED THE COMMITTEE THAT DAY ON BRAZIL WERE (IN ADDITION TO JULIO MESQUITA) HAMILTON ALMEIDA FILHO OF "EX"; OCIAN DE OLIVEIRA BRITO OF "O LIBERAL" OF BELEM; FERNANDO GASPARIAN OF "OPINIAO" AND RAIMUNDO PEREIRA OF "MOVIMENTO." THE "EX" EDITOR PAINTED A PICTURE OF "ECONOMIC MONOPOLY" ON THE PART OF THE MAJOR PRESS, ACCUSING "O ESTADO" OF RENEGING ON A PROMISE TO PRINT "EX" (WHICH IS A CO-OP OF EX-JOURNALISTS OF OTHER MEDIA -- HENCE THE NAME "EX") ON "O ESTADO'S" PRESSES, ALLEGEDLY BECAUSE OF THE TABLOID'S LEFT-OF-CENTER IDEOLOGICAL BENT. IN EFFECT, ALMEIDA ACCUSED "O ESTADO" OF COMPLICITY IN THE INFRINGEMENT OF "EX'S" FREEDOM OF THE PRESS* (MESQUITA ANSWERED THAT IT WAS ALL NEWS TO HIM, SINCE THE PRINT SHOP WAS NOT PART OF HIS RESPONSIBILITIES IN THE ENTERPRISE)* THE NEWSPAPERMAN FROM BELEM, WHO DEFENDED THE CONCEPT OF "LIBERTY WITH CO-RESPONSIBILITY" (AS DID SAO PAULO GOVERNOR PAULO EGYDIO MARTINS WHEN HE OFFICIALLY OPENED THE IAPA
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CONFERENCE THE FOLLOWING DAY), LAUNCHED INTO A DEFENSE OF THE BRAZILIAN SYSTEM OF GOVERNMENT AND RISK CONTRACTS (TO THE APPLAUSE OF THE CHILEANS AND CUBANS), BEFORE HE WAS RULED OUT OF ORDER BY ORNES. IN ADDITION TO EXPOUNDING ON "OPINIAO'S" CENSORSHIP PROBLEMS AND THE LAWSUIT AGAINST "CADERNOS", GASPARIAN EXPLAINED THE BACKGROUND OF HIS AND BARBOSA LIMA SOBRINHO'S DECISION TO SUSPEND PUBLICATION OF "ARGUMENTO", BECAUSE OF THEIR CONVICTION THAT PRIOR CENSORSHIP OF A MONTHLY CULTURAL REVIEW WAS "UNACCEPTABLE." GASPARIAN DESCRIBED THE FEDERAL SUPREME COURT'S DECISION AGAINST "ARGUMENTO" AS "RECOGNIZING THE JUSTICE MINISTRY'S EXCEPTIONAL POWERS UNDER AI-5 TO CENSOR THE PRESS, IN DEFENSE OF THE REVOLUTION OF 1964, AS IF A STATE OF SEIGE WERE STILL IN EXISTENCE."

14. THE MOST SIGNIFICANT PERFORMANCE WAS THAT OF "HBVIMENTO'S" RAIMUNDO PEREIRA WHO DISCUSSED THE SPECIAL INJUSTICE OF

"UNEQUAL CENSORSHIP." WHEN THE GOVERNMENT WITHDREW ITS CENSORS FROM "O ESTADO", HE CHARGED, "IT KNEW IT WOULD GAIN THE SUPPORT OF AN IMPORTANT PART OF PUBLIC OPINION." DESCRIBING THE PROHIBITION IMPOSED ON "MOVIMENTO" NOT TO DISCUSS THE PETTROLEUM ISSUE IN ITS PAGES OR TO REPORT THE PROHIBITED MATTERS TO OTHER JOURNALS, PEREIRA CONCLUDED THAT, IF THE LARGE JOURNALS SUCH AS "O ESTADO" DIVULGED THE PROHIBITIONS IMPOSED ON "MOVIMENTO", IT WAS POSSIBLE THE CENSORS WOULD SOON BE MARCHING BACK INTO THE "O ESTADO" BUILDING.

15. THE CHALLENGE LAID BEFORE MESQUITA AND IAPA BY THE LEFTIST/NATIONALIST JOURNALS SUCH AS "MOVIMENTO" WAS A PECULIAR TEST OF THE INTER AMERICAN ORGANIZATION'S COMMITMENT TO THE PRINCIPLE OF FREEDOM OF THE PRESS. IN OUR VIEW, IAPA AND OUTGOING PRESIDENT MESQUITA ACQUITTED THEMSELVES MAGNIFICENTLY. SOME THOUGHT IT IRONIC AND DEVIOUS FOR BEARDED AND GRUBBY MARXIST OR SEMI-MARXIST THEORETICIANS TO "INFILTRATE" AN INTER AMERICAN ORGANIZATION THEY OBVIOUSLY REGARD AS A PRIVILEGED CAPITALISTS' CLUB AND INSTRUMENT OF YANKEE IMPERIALISM AND ATTEMPT TO USE IT FOR THEIR OWN ENDS. THESE TOTALITARIAN-MINDED ELEMENTS, SOME OF THE DELEGATES THOUGHT, HYPOCRITICALLY BESOUGHT IAPA TO CHAMPION THEIR PRESS FREEDOMS BECAUSE IT IS THEY WHO ARE CURRENTLY THE VICTIMS OF CENSORSHIP RESTRICTIONS IN BRAZIL, BUT, THESE

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DELEGATES REMARKED, THERE WOULDN'T BE ANY PRESS FREEDOMS IF THE LEFTIST INTELLECTUALS HAD ANY SAY ABOUT WHAT TYPE OF GOVERNMENT SHOULD BE IN POWER IN BRAZIL. NEVERTHELESS, IAPA ROSE TO THE CHALLENGE AND REMAINED FAITHFUL TO ITS PRINCIPLES. AS REPORTED IN PARAGRAPH 12 ABOVE, MESQUITA AND THE PRESS FREEDOM COMMITTEE FULLY REPORTED THE RESTRICTIONS IMPOSED ON "MOVIMENTO". "O ESTADO" AND TO A LESSER DEGREE "JORNAL DO BRASIL" ADEQUATELY COVERED THE SESSIONS ON BRAZIL, INCLUDING THE CAVEATS IMPOSED BY THE CENSORS ON THE PETROLEUM ISSUE. (FOR A VIEW THAT "O ESTADO" MAY YET HAVE TO PAY THE PRICE FOR THIS ACT OF FAITH IN THE PRINCIPLES OF FREEDOM OF SPEECH, SEE SEPTTEL TRANSMITTED BY EMBASSY). THE MAJOR BRAZILIAN MEMBER OF IAPA UNABLE, OR UNWILLING, TO TREAT THE ISSUES DISCUSSED AT THE CONFERENCE WAS EDITORA ABRIL. WE HAVE NOT SEEN THE ORIGINAL GALLEY PROOFS, BUT THIS WEEK'S "VEJA", AS PRINTED (AFTER CENSORSHIP), DEVOTED ONLY A COLUMN AND A HALF TO THE IAPA CONFERENCE; AND IT DID NOT MENTION THE RESTRICTIONS IMPOSED ON "MOVIMENTO" CONCERNING RISK CONTRACTS.

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16. AS NEWS OF THE LATEST JOURNALISTS' ARRESTS CIRCULATED AT THE IAPA CONFERENCE ON THE FINAL DAY (OCTOBER 24) THE PSYCHOSIS OF FEAR GREW TO EXTRAORDINARY PORTIONS. "O ESTADO" NEWSMEN SPREAD THE VIEW THAT THE ARRESTS WERE INTENDED AS THE SECURITY MEN'S WAY OF THUMBING THEIR NOSES AT IAPA. SPECULATION WAS RIFE THAT, IN THE WEEKS TO COME THE OPPOSITION WEEKLIES, SUCH AS "MOVIMENTO" WOULD BE GRADUALLY SQUEEZED OUT OF BUSINESS, IF NOT QUICKLY SHUT DOWN OUTRIGHT. EVENTUALLY, MOST BRAZILIANS PRESENT CONCLUDED CENSORSHIP WOULD RETURN TO "O ESTADO." EVEN RUY PLACIDO BARBOSA, THE COMPLETELY CAREER-ORIENTED CHIEF STAFF AID TO JULIO MESQUITA AND COORDINATOR OF THE IAPA CONFERENCE, INQUIRED OF CONGEN OFFICERS WHAT ASSISTANCE HE AND HIS AMERICAN WIFE MIGHT BE ENTITLED TO FROM THE U.S. GOVERNMENT IF HE WERE ARRESTED. WITH THE NEWS THAT A WELL KNOWN SAO PAULO TV JOURNALISTS, WLADIMIR HERZOG, HAD VOLUNTARILY APPEARED AT DOI FOR QUESTIONING ON THE MORNING OF OCTOBER 25 AND HIS BODY HAD BEEN RETURNED TO HIS FAMILY THAT SAME AFTERNOON (EMBASSY'S SEPTTEL), THE FEAT OF FURTHER, IMMINENT RESTRICTIONS HAS BEEN DRAMATICALLY STRENGTHENED.

17. THIS MESSAGE HAS BEEN COORDINATED WITH THE EMBASSY.

EMBASSY CONCURS IN ITS TRANSMISSION.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CENSORSHIP, THE PRESS, INFORMATION CONTROL, MEETINGS, ALLEGATIONS
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Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
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Disposition Event:
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Film Number: D750379-0414
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Handling Restrictions: n/a
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Review Release Date: n/a
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Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: IAPA DECLARES FREEDOM OF THE PRESS TO BE LACKING IN BRAZIL
TAGS: PINS, PINT, SHUM, ENRG, BR, XM, IAPA
To: STATE
Type: TE
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